

UNITED STATES DISTRICT COURT

for the

Southern District of Georgia
Savannah Division

2008 JUN 23 PM 12: 21

United States of America

v.

Michael Woodard

Date of Previous Judgment: April 9, 1998

(Use Date of Last Amended Judgment if Applicable)

)

)

) Case No: CR495-00010-001) USM No: 08776-021) Edward M. Buttimer

) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 39Amended Offense Level: 37Criminal History Category: IVCriminal History Category: IVPrevious Guideline Range: 360 months to LifeAmended Guideline Range: 292 to 365 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☐ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):

III. ADDITIONAL COMMENTS

The Court denies the defendant's motion because the Court notes the defendant's present sentence of 253 months is below the bottom end of the amended guideline range. The Court has already granted two reductions for the defendant and his offense conduct reflects that the Court must protect society and not grant any further reductions.

Except as provided above, all provisions of the judgment dated April 9, 1998, shall remain in effect.

IT IS SO ORDERED.

Order Date: June 23, 2008


Judge's signature

B. Avant Edenfield
United States District Judge
For the Southern District of Georgia
Printed name and title

Effective Date: _____
(if different from order date)

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